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SMITHKLINE BEECHAM CORPORATION D/B/A
GLAXOSMITHKLINE



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARVA RIDGE *et al.*,

Plaintiffs,

v.

GLAXO SMITHKLINE, *etc.*, *et al.*,

Defendants.

Case No. 3:01-cv-4180 (VRW)

**STIPULATION OF DISMISSAL;
ATTESTATION IN SUPPORT OF
SIGNATURE**

WHEREAS, plaintiffs MARVA RIDGE (“Ridge”) and WILLIE McDOLLE (“McDole”) filed a Complaint against SmithKline Beecham Corporation d/b/a GlaxoSmithKline (“GlaxoSmithKline”) in the United States District Court for the Northern District of California in November 2001, entitled *Marva Ridge; Willie McDole v. Glaxo SmithKline, plc; SmithKline Beecham Corporation; Glaxo Wellcome, Inc.; and Does 1 to 10*, N.D. Cal. Docket No. 3:01-cv-4180 (“multi-plaintiff action”);

WHEREAS, the multi-plaintiff action was transferred to the Multidistrict Litigation proceeding, *In re Phenylpropanolamine (PPA) Products Liability Litigation*, MDL Docket No. 1407 (“MDL 1407”), where it was assigned MDL 1407 Docket No. 2:02-cv-00530-BJR;

WHEREAS, Ridge and McDole subsequently filed separate, amended Complaints pursuant to MDL 1407’s Case Management Orders (“CMOs”) Nos. 15 and 15A

1 regarding cases that could not meet the threshold requirement for permissive joinder
2 under Federal Rule of Civil Procedure 20(a) (Ridge's new, individual action was
3 assigned MDL 1407 Docket No. 2:03-cv-01392-BJR and McDole's was assigned MDL
4 1407 Docket No. 2:03-cv-1393-BJR);

5 WHEREAS, Ridge and McDole's original, multi-plaintiff Complaint was
6 subsequently dismissed with prejudice pursuant to MDL 1407's CMOs Nos. 15 and 15A;

7 WHEREAS, Ridge's new, individual action was included on a Conditional
8 Remand Order ("CRO") filed with the Judicial Panel on Multidistrict Litigation
9 ("JPML") on April 12, 2005, and then transmitted to the Northern District of California,
10 where it was received on May 31, 2005;

11 WHEREAS, McDole's new, individual action was included on a CRO filed with
12 the JPML on May 13, 2005, and then transmitted to the Northern District of California,
13 where it was received on July 6, 2005;

14 WHEREAS, both Ridge and McDole have now settled all their PPA-related
15 claims against GlaxoSmithKline;

16 WHEREAS, Ridge's and McDole's new, individual actions have never been
17 dismissed; and

18 WHEREAS, the parties, having settled this action, enter this stipulation to clarify
19 that the parties agree to the dismissal with prejudice all of Ridge's and McDole's PPA-
20 related claims against GlaxoSmithKline, both individual and multi-plaintiff; therefore

21 IT IS HEREBY STIPULATED by and between plaintiffs Ridge and McDole and
22 defendant GlaxoSmithKline, through their designated counsel, that the new, individual

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1 actions and any remaining PPA-related claims and/or actions by Ridge and/or McDole
2 against GlaxoSmithKline be and hereby are dismissed with prejudice pursuant to Federal
3 Rule of Civil Procedure 41(a) with each party to bear its own costs.

4
5 Dated: September 8, 2005

CORY WATSON CROWDER & DEGARIS

6 /S/ LEILA H. WATSON
7 LEILA H. WATSON

8 Attorneys for
9 MARVA RIDGE and WILLIE McDOLÉ

10 Dated: September 8, 2005

DRINKER BIDDLE & REATH LLP

11 /S/ MICHELLE A. CHILDERS
12 MICHELLE A. CHILDERS

13 Attorneys for
14 SMITHKLINE BEECHAM CORPORATION
15 d/b/a GLAXOSMITHKLINE

16 ATTESTATION IN SUPPORT OF SIGNATURE

17 I attest that concurrence in the filing of this document has been obtained from the
18 other signatory.

19 Dated: September 8, 2005

20 /S/ MICHELLE A. CHILDERS
21 MICHELLE A. CHILDERS